

**AGENDA:** September 2, 2003

**4.1**

**CATEGORY:** Consent

**DEPT.:** City Attorney

**TITLE:** Contract for Outside Legal Services—City of Palo Alto

### **RECOMMENDATION**

Authorize the City Attorney to execute an agreement with the City of Palo Alto for legal services relating to prosecution of code enforcement cases, personnel training and personnel matters.

### **FISCAL IMPACT**

Funds are budgeted in the current year budget and the annual contract amount will not exceed \$35,000.

### **BACKGROUND AND ANALYSIS**

Lance Bayer, a former deputy district attorney, has provided legal services to the City of Mountain View for the past six years on a part-time, as-needed basis. He works with the City Attorney's Office providing assistance in code enforcement prosecutions. Mr. Bayer advises the Police Department on general orders and internal affairs matters. He has also provided training services to the Fire Department and assisted the multi-family housing Building Inspectors. During this time, Mr. Bayer was an hourly employee of the City of Mountain View and during his association with Mountain View was retained by other public agencies in Santa Clara and San Mateo Counties performing similar work.

Mr. Bayer was recently hired by the City of Palo Alto on a full-time basis. In a cooperative arrangement between various public agencies, the City of Palo Alto allows other public agencies to utilize Mr. Bayer's services at a proportionate hourly cost.

The City of Mountain View has a continuing need for Mr. Bayer's services for code enforcement prosecution assistance that varies depending on the case load of the Code Enforcement Officers and the severity of the code violations. The Fire Department and Police Department may also continue to utilize Mr. Bayer's specialized services under this agreement.

Pursuant to City Council Policy A-10, the authorization of the City Council is required to execute this agreement with the City of Palo Alto. This agreement covers the current fiscal year as well as the prior fiscal year because the agreement was only recently finalized.

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**CONCLUSION**

Staff recommends that the City Attorney be authorized to execute an agreement with the City of Palo Alto for legal services.

**PUBLIC NOTICING**—Agenda posting.

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